

REMARKS

Claims 1, 3, 4, 6, and 11-12 remain in the application. Claims 2, 5, and 7-10 have been cancelled. Claim 1 is in independent form and has been amended. New claim 13 has been added to the application.

Claims 1, 3, 4, 7, 11 and 12 stand rejected under 35 USC 103(a) as being unpatentable over Palvolgyi (US 6,685,045). The Examiner contends that Palvolgyi '045 teaches a wall (1) for enclosing a fluid, an inwardly flanged lip (8) forming an opening through a portion of the wall, a removable lid (2), first and second spaced apart radial grooves, first (10) and second (9) sealing rings seated in the grooves, and a sealing gap (19).

However, the Examiner admits the Palvolgyi '045 **does not teach** a reinforcement member fixedly secured to the inside wall forming a shoulder to support the circumferential periphery of the inwardly flanged lip. But, the Examiner argues that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the thicker upper end (5) of the filler neck as a sealing surface and as a reinforcement, because it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art.

In response, Applicant strongly disagrees and traverses this rejection.

Independent claim 1 has been amended to set forth a fuel tank assembly comprising: a wall (5) for enclosing a fluid; the wall having an upper wall (5) and an inwardly flanged lip (11) extending downwardly from the upper wall (5) into the fuel tank forming an opening (3) extending through a portion of the wall and defining a first sealing surface (12) along the circumferential periphery of the lip; a removable lid (4) for closing the opening in the wall, the lid having an outer peripheral part (18) defining a second sealing surface (19) along the circumferential periphery thereof facing the first sealing surface when the lid is seated in the

opening; first and second spaced apart radial grooves (20, 21) formed in at least one of the first and second sealing surfaces; first and second sealing rings (22, 23) seated in the first and second grooves respectively for sealing engagement between the first and second sealing surfaces when the lid is closed against the opening; a sealing gap (24) formed between the first sealing surface and the part of the second sealing surface extending between the spaced apart radial grooves for limiting the contact surface area of fuel vapors with the second sealing ring and thereby increase the permeation resistance of the sealing engagement between the lid and the opening; and a reinforcement member (13) including a planar portion (14) fixedly secured to the inside of the upper wall (5) and a shoulder portion (15) extending downwardly from the planar portion (14) forming a surrounding shoulder (15) which supports the circumferential periphery of the inwardly flanged lip (11) defining the opening for supporting the lip against the sealing forces between the first and second sealing surfaces from the lid closing against the opening.

The Examiner admits that Palvolgyi does not disclose a reinforcement member. The Examiner, however, contends that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the upper end (5) of the filler neck of Palvolgyi '045 as a sealing surface and as a reinforcement.. The Examiner contradicts even himself. The Examiner first states that Palvolgyi does not disclose a reinforcement member. The Examiner then states that the thicker upper end (5) of the filler neck comprises an inwardly flanged conical lip sealing surface (8) and, a reinforcement comprising the flat bottom portion located underneath the surface (8). The Examiner then also states that the thicker upper end (5) of the filler neck could provide both the sealing surface and the reinforcement. All the while, Palvolgyi provides absolutely no basis, support, suggestion, teaching or even an incentive for any of the Examiner's contentions, except the first, that is, that it does not teach a reinforcement member.

Palvogyi must have some suggestion, teaching or incentive for such a modification for support of the Examiner's obviousness rejection. Such a suggestion, teaching or incentive simply does not exist and the rejection should be withdrawn.

Still further, Applicant has amended independent claim 1 to further distinguish the invention over the prior art by adding a wall for enclosing a fluid having an upper wall (5) and an inwardly flanged lip (11) extending downwardly from the upper wall (5) into the fuel tank form an opening and **the reinforcement member (13) including a planar portion (14) fixedly secured to the inside of the upper wall (5) and a shoulder portion (15) extending downwardly from the planar portion (14)** forming a surrounding shoulder (15) which supports the circumferential periphery of the inwardly flanged lip (11). Palvolgyi '045 clearly does not disclose, teach or suggest a reinforcement member having both a planar portion fixedly secured to the inside of the upper wall and a shoulder portion extending downwardly therefrom for supporting the inwardly flanged lip of the opening.

Further, the Examiner has indicated that claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant has added new claim 13 which incorporates all of the limitations of independent claim 1 and allowable claim 6. The Applicant submits that the limitations of intervening claims 3 and 4 are not essential to the allowability of new claim 13.

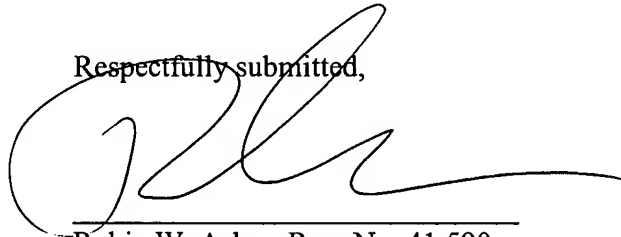
Finally, the rejection of claims 7 and 11-12 is improper and must be withdrawn. Claim 7 was previously cancelled and therefore cannot be rejected. And, claims 11 and 12 depend from claim 6. Claim 6 has been indicated as allowable if rewritten in independent form. Therefore, claims 11 and 12 must also be indicated as allowable if, at least, rewritten in independent form. In other words, it is

improper and impossible to allow claim 6 and reject claims 11-12 based on 103(a) with claims 11 and 12 depending from claim 6.

It is respectfully submitted that this patent application is in condition for allowance or at least in better condition for appeal should a notice of allowance not be issued. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-1759. A duplicate of this form is attached.

Respectfully submitted,



Robin W. Asher, Reg. No. 41,590
Clark Hill PLC
500 Woodward Avenue, Suite 3500
Detroit, MI 48226-3435
(313) 965-8300

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